



U.S. ENVIRONMENTAL PROTECTION AGENCY
REGION 8, MONTANA OFFICE
FEDERAL BUILDING, 10 West 15th St., Suite 3200
HELENA, MONTANA 59626

Ref: 8MO

November 5, 2008

Mr. Bruce Ramsey, Forest Supervisor
Beaverhead-Deerlodge National Forest
420 Barrett Street
Dillon, Montana 59725

Re: CEQ # 20080402; EPA Comments:
Whitetail-Pipestone Travel Management
Plan Final EIS

Dear Mr. Ramsey:

The Environmental Protection Agency (EPA) Region VIII Montana Office has reviewed the Final Environmental Impact Statement (FEIS) for the Whitetail-Pipestone Travel Management Plan, in accordance with EPA responsibilities under the National Environmental Policy Act (NEPA), 42 U.S.C. 4231 and Section 309 of the Clean Air Act.

The EPA appreciates receipt of responses to agency DEIS comments, and to the comments of other agencies and the public, although responses to our specific comments were difficult to locate. The FEIS/ROD indicates that Alternative 5-modified, created in response to DEIS comments, is the preferred/selected alternative. We appreciate the revisions included in Alternative 5-modified, which we consider to be an improvement over Alternative 4, the preferred alternative presented in the DEIS. We particularly support the Alternative 5 elimination of the back-country airstrip that had been proposed for construction in wetland areas near Whitetail Reservoir, as well as the reduction in motorized designations in the Whitetail-Haystack-O'Neill Roadless Area, including reclassification of the Haystack Trail and trail system north of Whitetail Reservoir to non-motorized uses. We also support closure of Forest Road 105 to protect westslope cutthroat trout habitat in Sullivan Gulch from road use impacts.

However, the EPA still considers Alternative 3 to be the environmentally preferred alternative. Alternative 3 would have the least open roads/trails in riparian areas; least number of stream crossings; greatest reduction in erosion; least impacts to sensitive species; best potential for reducing impacts to wildlife; and not surprisingly, the least miles of roads/trails open to motorized uses. Alternative 5 appears to be the next most environmentally protective alternative among the alternatives evaluated.

We also want to indicate that we do not understand the FEIS response to our comment regarding eighteen roads in the project area identified with high potential for sediment delivery to surface waters. The response stated that these roads are not part of the analysis because they are not part of the decision on whether to keep them open or closed, and also that sediment problems can be dealt with through “normal maintenance” (page 4-77). We believe a Travel Management Plan and EIS should analyze and address the roads that are the highest sediment sources in the project area and that adversely impact water quality. We are concerned that it is stated that “normal maintenance” will address high sediment source roads. It appears to us that “normal maintenance” has likely been used on these roads for years, and yet these roads are still high sediment sources. “Normal maintenance” has not corrected the problem.

The EIS states that there are many user-created roads and primitive roads in the Whitetail-Pipestone area which are poorly located and/or inadequately maintained creating watershed and other resource problems. The EIS notes poor trail conditions and lack of maintenance on the Slate Creek/Little Boulder River trail system, Big Major trail, Berry’s Meadow trail, Spring Creek trail, Haystack Mountain trail, Wilson Creek trail, and O’Neill Creek road, and as well as the aforementioned 18 roads with high potential to deliver sediment to surface waters.

We are concerned that the Forest Service does not have adequate resources to properly maintain roads and reduce road impacts to water quality and fisheries. It is known that prolonged under-funding of road maintenance on National Forests has resulted in degraded road conditions, and that there is a significant backlog of road maintenance needs on National Forests (Source: “*Rightsizing the Forest Service Road System Part 1: Road Trend Analysis*, March 22, 2007). A level of maintenance that exceeds “normal maintenance” is needed, or normal maintenance needs to be upgraded to reduce road sediment delivery to surface waters. We believe the Travel Plan should include a greater commitment to reduce the road maintenance backlog, and address roads that are high sediment sources to surface waters.

We also believe that roads which cannot be properly maintained should be considered for closure or decommissioning, with natural landscapes and drainages restored (i.e., culverts removed). Road density in the Whitetail-Pipestone area is very high and reduction in road density is needed to protect resources. We believe road networks should be limited to those that are necessary for access and management, and which can be adequately maintained within agency budgets and capabilities. Roads that impact water quality, fisheries and/or sensitive and listed wildlife species should be prioritized for closure and/or decommissioning to maximize ecological benefits. We also recommend road obliteration or full road recontour as a preferred method of road closure, since it is often difficult to effectively restrict motorized access and protect public lands with simple gated road closures.

We recommend that an Appendix be prepared that identifies future actions that would be taken to address road sediment problems and other resource problems associated with the road system (e.g., inadequate fish passage at culverts), including an approximate schedule for when future actions would be taken.

Finally, while the responses to FEIS comments say that enforcement is not a Forest Service action required to be analyzed under NEPA, we appreciate the inclusion of FEIS responses discussing enforcement. Restrictions on travel to protect sensitive resources will not be effective unless there is adequate policing and enforcement. We are pleased that it is stated that the BDNF will review the Gallatin NF enforcement strategy and will likely develop a similar approach to be implemented after the Whitetail-Pipestone Travel Management decision. This is important since we consider policing and enforcement of travel restrictions to be an important aspect of protecting water quality, fisheries, wildlife, and other sensitive resources. We believe the ability of the USFS to enforce restrictions needed to protect the environment in light of the expanding motorized uses is an important aspect of travel management, and should be addressed in the NEPA evaluation of travel management.

We are concerned about the adequacy of resources to police and enforce travel restrictions on National Forests that are needed to sustain and protect resources and the environment for future generations. We support adding law enforcement personnel to handle the increases in motorized uses that are occurring. We particularly recommend increasing enforcement officer contact with off-road vehicle users and those violating motorized access restrictions on closed roads and trails; and increasing enforcement staffing on holidays and weekends, when much illegal motor vehicle use occurs. The BDNF should develop and fund an effective enforcement strategy to assure that increasing motorized uses do not violate motorized access restrictions.

The EPA appreciates the opportunity to review and comment during the NEPA review process for the Travel Management Plan/EIS. If you have any questions please contact Mr. Steve Potts of my staff in Missoula at 406-329-3313 or in Helena at (406) 457-5022. Thank you for your consideration.

Sincerely,

/s/

John F. Wardell
Director
Montana Office

cc: Larry Svoboda/Connie Collins, EPA, 8EPR-N, Denver
Terry Sexton, District Ranger, Whitehall